IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

RFA.No. 121 of 2005(A)

AGAINST THE ORDER DATED 31/03/2004 IN IA 686/1982 IN OS.414/1976 of III ADDL.SUB COURT, ERNAKULAM
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APPELLANTS/(LRS OF R7(SEBASTIAN).
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1. **PHILOMINA, AGED 54, W/O.LATE SEBASTIAN, (7TH RESPONDENT) VILLANASSERY HOUSE, PERUMANOOR, ERNAKULAM VILLAGE, KANAYANNUR TALUK.**

2. **JIFFY, AGED 28, S/O.LATE SEBASTIAN, DO.DO.**

3. **JEEVAN, AGED 26, S/O/LATE SEBASTIAN, DO.DO.**

BY ADV. SRI.M.RAVIKUMAR

RESPONDENTS: PETITIONER & RESPONDENTS 1 TO 12
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1. **V.M.MATHEW, S/O.LATE V.M.MATHEIS, VILLANASSERY HOUSE, PERUMANOOR, ERNAKULAM VILLAGE, KANAYANNOOR TALUK.**

2. **ELIAWA ALIAS BABY, D/O.V.M.MATHEIS, VILLANASSERY HOUSE, PERUMANOOR, ERNAKULAM VILLAGE, KANAYANNUR TALUK, COCHIN-15.**

3. **GEORGE, S/O.V.M.MATHEIS, DO.DO.**

4. **ANTONY, S/O.V.M.MATHEIS, DO.DO.**

5. **JOSEPH, S/O.V.M.MATHEIS, DO.DO.**

6. **MRS. CICILIY JOSEPH, D/O.MATHEIS, VILLANASSERY, NOW RESIDING AT KUNNUMPURAM, CANAL VIEW,NEAR CHAMBAKARA CHURCH, CHAMBAKARA, MARADU VILLAGE.**

**7. MRS. MARY JOSEPH, D/O.V.M.MATHEIS,
NELLICKAL HOUSE, NAZARATH, ALWAYE.**

**8. SEBASTIAN, S/O.V.M.MATHEIS,
VILLANASSERY HOUSE, PERUMANOOR,
ERNAKULAM VILLAGE, KANAYANNOOR TALUK,
COCHIN-15 (DIED).**

**9. MRS. TREESA CHACKO, D/O.N.M.MATHEIS,
16TH CROSS ROAD, WILSON GARDEN,
BANGALORE-27.**

**10. THOMAS, S/O.V.M.MATHEIS,
VILLANASSERY HOUSE, PERUMANOOR, ERNAKULAM VILLAGE,
KANAYANNOOR TALUK, COCHIN-15 (DIED).**

**11. SARAMMA THOMAS, AGED 48 YEARS,
W/O.THOMAS, VILLANASSERY HOUSE, H.NO.54/130(NEW NO
27/2630(OLD NO.)**

**12. TIJI THOMAS, AGED 19 YEARS,
D/O.THOMAS, DO.DO.DO.**

**13. TINTU THOMAS, AGED 14 YEARS,
D/O.THOMAS DO.DO. (MINOR).**

**BY ADV. SRI.P.T.JAVALIN JOSEPH
SRI.K.A.HASHIM**

THIS REGULAR FIRST APPEAL HAVING COME UP FOR ORDERS ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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R.F.A. NO. 121 OF 2005

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Dated this the 31st day of October, 2007

J U D G M E N T

When the appeal comes for admission, learned counsel appearing for the appellants submitted that the matter has been settled between the parties out of court and hence they may be permitted to withdraw the appeal. A statement to that effect is also filed. Statement filed by the appellants is recorded.

In the result, appeal is dismissed as withdrawn.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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R.F.A. NO. 121 OF 2005

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J U D G M E N T

31ST OCTOBER, 2007